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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,215	03/17/2005	Bernd Salomon-Bahls	11138-017	6269
757 7590 09/28/2007 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			EXAMINER KEE, FANNIE C	
			ART UNIT 3679	PAPER NUMBER
			MAIL DATE 09/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/528,215

Applicant(s)

SALOMON-BAHLS, BERND

Examiner

Fannie C. Kee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-10,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 3-5,11-15 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because of a minor grammatical error, i.e., replace the word "one" after the word "inner" with the word --cone-- in line 4.

Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

2. Claim 8 is objected to because of the following informalities: add the word --into-- between the words "insertion" and "a" in line 2.
3. Claim 18 is objected to because of the following informalities: add an --s-- to the end of the word "engage" in line 5.

Correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 7, 8, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legris U.S. Patent No. 4,431,216.

With regard to claim 1, and as seen in Figure 32 below, Legris discloses a connecting device for the plug-in connection of at least one pipeline (7), comprising a housing part (1, 4) having at least one receiving opening (1a) for the insertion of the pipeline, and a clamping ring (3), which is arranged in the receiving opening and, in order to lock the pipeline in place, interacts with an inner cone of the housing part, the housing part being made in two parts from a base part (1) and an insert part (4), which is connected to the base part via a snap-action form-fitting connection and which has the inner cone and a dirt seal (5) for resting on the circumference of the inserted pipeline.

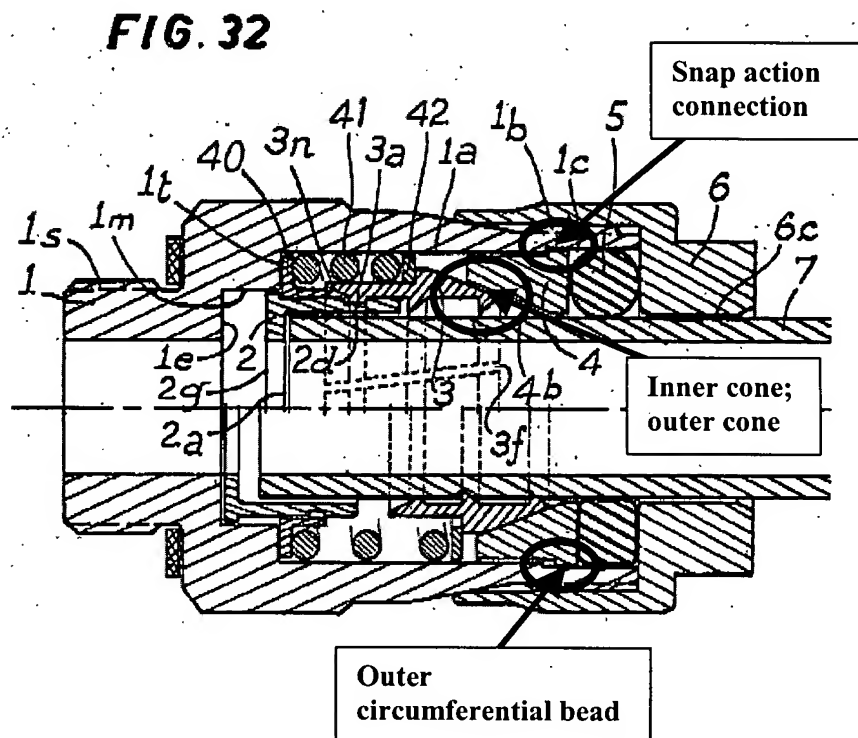
Legrís does not disclose that the insert part is formed of a first, relatively hard and dimensionally stable plastic material or that the dirt seal is formed of a second, relatively soft and elastic plastic material, or is molded directly onto the insert part as a single piece with a cohesive material joint therebetween. However, it is well known in the art to mold a seal directly onto an insert part as a one piece construction so that the seal cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the insert part from plastic and the dirt seal from an elastic plastic material different from that of the insert part because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice (In re Leshin, 125 USPQ 416) and to have molded the dirt seal directly onto the insert part as a one piece construction so that the seal

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cannot be dislodged from the insert part and more firmly secures against leaks as a pipeline is inserted into the opening and into the insert part.

*Note: the method of forming the device is not germane to the issue of patentability of the device itself. Therefore, this limitation is given little patentable weight.*



With regard to claim 2, and as seen in Figure 32 above, Legris discloses the insert part being of sleeve-shaped design and being insertable into a widened portion of the receiving opening of the base part in a manner providing a circumferential seal against the penetration of

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dirt and similar foreign bodies, the insert part lying completely within the base part and ending flush with the receiving opening when the insert part is positioned in the receiving opening.

With regard to claim 6, and as seen in Figure 32 above, Legris discloses a supporting sleeve (2) arranged within the base part for the frictional engagement of the inserted pipeline.

With regard to claim 7, and as seen in Figure 32 above, Legris discloses wherein the housing can be connected to a further assembly part via at least one connecting section (1s).

With regard to claim 8, and as seen in Figure 32 above, Legris discloses the connecting section being designed as a pipe attachment for insertion into a second receiving opening.

With regard to claim 9, and as seen in Figure 32 above, Legris discloses the claimed invention but does not disclose the base part being formed of two regions of two different types of molded plastic material.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed the base part of two regions of two different types of plastic because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

In re Leshin, 125 USPQ 416.

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With regard to claim 10, and as seen in Figure 32 above, Legris discloses the connecting section being designed as a screw thread attachment (1s, column 10, line 36) including an externally threaded connector.

With regard to claim 16, and as seen in Figure 32 above, Legris discloses that the insert part can be inserted into the base part with a press fit and has an outer circumferential bead.

With regard to claim 17, and as seen in Figure 32 above, Legris discloses the circumferential sealing bead being attached to the insert part to form a single piece but does not disclose that the circumferential sealing bead consists of an elastic material.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have fabricated the circumferential sealing bead from elastic because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. In re Leshin, 125 USPQ 416.

***Allowable Subject Matter***

6. Claims 3-6 and 9-15, and 18-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

With regard to claim 3, the prior art of record does not teach or suggest where the sleeve-shaped insert part has at least two radially elastic spring arms with radially outwardly protruding latching attachments in combination with the connecting device of claim 1.

Claim 4 depends from claim 3 and therefore, would be found to be allowable should claim 3 be found allowable.

With regard to claim 5, the prior art of record does not teach or suggest closed latching elements running in the circumferential direction on the snap-action form-fitting connection in combination with the connecting device of claim 1.

With regard to claim 11 the prior art of record does not teach or suggest the housing part being inserted with a plug-in section as a press-in cartridge into a connecting opening of an assembly part in combination with the connecting device of claim 1.

Claims 12-15 depend from claim 11 and therefore, would be found to be allowable should claim 11 be found allowable as they depend from claim 11.

With regard to claim 18, the prior art of record does not teach or suggest positioning means formed as a diametrically opposite, radially projecting longitudinal rib on the outer circumference of the insert part which engages with a corresponding longitudinal groove of the base part in combination with the connecting device of claim 1.



With regard to claim 19, the prior art of record does not teach or suggest the insert part has retaining edges following the inner cone as an axial end stop for the clamping ring in combination with the connecting device of claim 1.

Claim 20 depends from claim 19 and therefore, would be found to be allowable should claim 19 be found allowable as it depends from claim 19.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fannie C. Kee whose telephone number is (571) 272-1820. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Fannie C. Kee  
September 23, 2007



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PRIMARY EXAMINER  
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